

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated January 6, 2008. This response is timely filed and is accompanied by a Request for Continued Examination (RCE). Authorization is hereby given to charge any fee underpayment or credit any overpayment to Deposit Account No. 50-0951, if necessary.

At the time of the Office Action, claims 1-22 were pending in the application. In the Final Office Action, Claims 1-22 were rejected under 35 U.S.C. §103(a). The rejections are discussed in more detail below.

I. Rejections to the claims based on cited art

Claims 1-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,691,043 to Keller et al. (hereafter "*Keller*"). Applicant respectfully submits that *Keller* does not teach or suggest the integers of the amended independent claims.

The Office Action states that *Keller* teaches that the core layer may be opaque. To the contrary, column 7, lines 25 - 27 of *Keller* indicates that the core layer is provided, on one or both sides, by a supporting layer that contains TiO₂. A further skin layer is provided over the supporting layer to encapsulate the TiO₂ and to provide an opaque, five layer structure. Thus, neither the material comprising core layer itself nor the skin layer(s) are opaque in *Keller*, but rather the opaqueness is derived from the encapsulated TiO₂, which is an opacifying compound, together with the layering of the core layer, the supporting layer(s) and the skin layer(s). There is clearly no teaching or suggestion in *Keller* of forming an under layer having an opacity, and an outer layer formed of a different material which has an opacity that is configured to reduce after exposure to moisture or liquid. In addition to the above, there is no teaching or suggestion in *Keller* of providing an outer layer that is in any way configured to have a reduced opacity when exposed to liquid or moisture. In fact, *Keller* teaches that the outer layer is a film that is primarily biaxially oriented film. Such a film, or in fact any plastic film, when provided as an outer layer as in *Keller*, does not have the claimed feature of being a material that has an opacity which is reduced upon exposure to moisture or liquid. This is not a

property of a plastic film. A main concept of the presently claimed label is to provide a core material which is opaque and an outer layer which can be easily printed on (unlike the plastic as taught in *Keller*,) so that when the outer printed layer is exposed to moisture its opacity is reduced but the underlying opaque layer provides sufficient opacity so as not to affect the overall quality of the label's "look".

New dependent claims 23 and 24 are presented herein in order to address having an outer layer being made of paper.

For the foregoing reasons, the claims are believed to relate to patentable subject matter, and to be in condition for allowance. Withdrawal of the rejections based upon art is thus respectfully requested.

II. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted

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